

CAL POLY

Academic Senate

805-756-1258

<http://academicsenate.calpoly.edu/>

Meeting of the Academic Senate Executive Committee

Tuesday, January 5, 2016

01-409, 3:10 to 5:00pm

- I. **Minutes:** Approval of November 10, 2015 minutes (pp. 2-3).
- II. **Communication(s) and Announcement(s):**
- III. **Reports:**
 - A. Academic Senate Chair:
 - B. President's Office:
 - C. Provost:
 - D. Statewide Senate:
 - E. CFA:
 - F. ASI:
- IV. **Special Reports:**
 - A. Briefing on Cal Poly's on-campus Intensive English Program for international students by Brian Tietje, Vice Provost for International, Graduate and Extended Education. (pp. 4-5).
 - B. [TIME CERTAIN 4:15 P.M.] Online evaluations by Ken Brown, Faculty Affairs Committee chair, Dustin Stegner, Instruction Committee chair, and Al Liddicoat, Associate Vice Provost, Academic Personnel (pp. 6-11).
- V. **Business Item(s):**
 - A. Appointments to Academic Senate committee for 2015-2017: (pp. 12-13).
 - B. [TIME CERTAIN 4:00 P.M.] Resolution on ASCC membership: Brian Self, Curriculum Committee chair (p. 14).
 - C. Resolution to Add the Function of Task Forces: Gary Laver, Academic Senate chair (p. 15).
- VI. **Discussion Item(s):**
 - A. Sunsetting old resolutions. Example: CAP 420: removal of section 420.4 – amorous relations and resolution AS-471-96/SWC Resolution on Amorous Relationships (pp. 16-26).
 - B. Clarification of TERMS OF OFFICE *Bylaws of the Academic Senate* II.B.1 (p. 27).
- VII. **Adjournment:**

CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California 93407
ACADEMIC SENATE

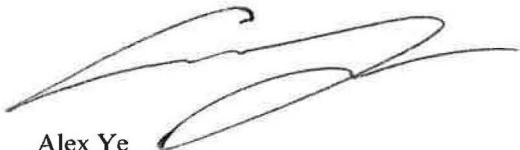
MINUTES OF THE
ACADEMIC SENATE EXECUTIVE COMMITTEE
Tuesday, November 10, 2015
01-409, 3:10 to 5:00pm

- I. Minutes: M/S/P to approve the Executive Committee minutes from October 13, 2015.
- II. Communication(s) and Announcement(s): none.
- III. Reports:
- A. **Academic Senate Chair:** none.
 - B. **President's Office:** none.
 - C. **Provost:** none.
 - D. **Statewide Senate (Foroohar/LoCascio):** Foroohar reported that the resolution to suspend the background check policy has passed. It was also reported that the resolution on shared governance went through first reading and will return in January as a second reading. LoCascio reported on Statewide Academic Affairs Committee's discussion on what the minimum GPA is to get a Cal Poly degree as well as the 12 unit cap before master's students lose their financial aid.
 - E. **CFA (Archer):** The strike vote ended with 94.4% of voters in favor of striking. The turnout from Cal Poly CFA members was 81% compared to 80% in the state.
 - F. **ASI:** none.
- IV. Business Item(s):
- A. **Approval of Academic Senate committee charges for 2015-2016:** M/S/P to approve the following Academic Senate committee charges for 2015-2016:
 - Curriculum Committee:*
 - Discuss double counting courses
 - Faculty Affairs Committee:*
 - Discuss double counting courses
 - Research Scholarship and Creative Activities Committee:*
 - Fact finding on efficient methods that ensure the concept of Research, Scholarship and Creative Activities become an incentive for faculty.
 - Continuation of the discussion of support mechanisms for the Teacher-Scholar Model, including a review of relevant documents from the past
 - Work towards a regular status report on scholarship at Cal Poly.
 - Teacher-Scholar Model, flexibility for junior faculty - continue discussion with Provost.
 - Identify examples of positive and negative practices relating to motivating and developing research, scholarly and creative activities as part of professional development.
 - Possible discussion of consulting practices across departments - currently no university-wide policy on reporting of consulting activities and guidelines for review committees on how to evaluate such activities in the tenure process.
 - Ad Hoc Committee for establishing published bylaws and mechanism of action by faculty members in the Human Subjects and Research Policies. Winter 2016
 - 0515-Discuss the proliferation of MPS programs (Committee report spring 2015)
 - Sustainability Committee:*
 - Respond to AS-787-14
 - Produce a list of courses meeting at least two SLOs.
 - 1. Encourage faculty to teach sustainability in new and existing courses (new)

2. Work with the CTLT to provide support for faculty seeking to teach classes involving sustainability (new)
 - Develop procedure to identify sustainability courses in catalog (new)
 - Report on case studies from other universities.
 - Respond to 2014 CSU Sustainability Policy directives. (new)
 - "The CSU will seek to further integrate sustainability into the academic curriculum working within the normal campus consultative process.
 - The CSU will develop employee and student workforce skills in the green jobs industry, promote the development of sustainable products and services, and foster economic development."
 - Promote/extend the Green Campus/Star Certification.
 - Make recommendations regarding the role of sustainability in the University's strategic plan/master plan/action plan.
- B. **Approval of Margaret Bodemer (Lecturer Social Sciences, CLA) as part-time academic employee for the 2015-2016 academic year:** M/S/P to approve Margaret Bodemer as the part-time academic employee for the 2015-2016 academic year.
- C. **Appointments to Academic Senate committee for 2015-2017, University committees 2015-2016, and task forces:** M/S/P to approve the following appointments:
- | | |
|--|--|
| College of Agriculture, Food and Environmental Sciences | |
| Sustainability Committee | Ashraf Tubeileh, Horticulture & Crop Science |
| College of Engineering | |
| Grants Review Committee | Tina Smilkstein, Electrical Engineering |
| Professional Consultative Services | |
| Intellectual Property Review Committee (2015-2017) | Sheree Fu, Library |
- D. **Resolution to Amend the Definition of Membership of the General Faculty on the *Constitution of the Faculty*:** Manzar Foroohar, Statewide Senator, presented a resolution that amends the definition of general faculty in the Constitution of the Faculty to match the definition stated in the contract. M/S/F to agendize the Resolution to Amend the Definition of Membership of the General Faculty on the *Constitution of the Faculty*.
- E. **Approval of Instruction Committee's recommendation for 2017-2018 Academic Calendar:** M/S/P to endorse the recommendation for Fall 2017, Winter 2018, and Spring 2018 to have Saturday common finals.

Adjournment: 5:00pm

Submitted by,



Alex Ye
Academic Senate Student Assistant

**Embassy English Intensive English Program
at Cal Poly**

Executive Briefing
December 10, 2015

Background: based on recommendations from the English Language Program task force, the University embarked on an RFP process to select an outside vendor to establish an Intensive English Program (IEP) at Cal Poly. Embassy English was selected as the vendor, and Cal Poly is in the process of negotiating a formal operating agreement with Embassy.

Program Details: Embassy's Intensive English Program is a non-credit program that will be run entirely by Embassy English on campus at Cal Poly. In exchange for providing facilities for the program, Embassy will provide a share of its tuition revenues with Cal Poly. Embassy will recruit, hire, train, and manage its teaching staff and will provide an on-site Program Director and other support staff. Embassy will also utilize its offices and agents worldwide to recruit students into the program. Approximate launch date is Fall 2016. Program is to be located in the 'D' wing of Building 52. Cal Poly Extended Ed will fund the renovation of the classroom space in Building 52 and will recoup its investment from the revenue sharing. Embassy maintains a 15:1 student/teacher ratio and charges approximately \$380/student/week for tuition. Cal Poly will collect additional fees for on-campus housing and dining (if applicable) and Rec Center access. Initially the program will utilize three classrooms with a 'double banking' model that delivers morning classes, mid-day electives, and afternoon classes to two simultaneous cohorts.

Benefits for Cal Poly: Having an on-campus IEP will greatly enhance Cal Poly's internationalization efforts by attracting English learners from around the world to our campus. Furthermore, having an on-campus IEP will enable Departments, College, Extended Education, and the International Center to pursue a number of opportunities, including:

- International undergraduate student pipeline: Students enrolled in high schools around the world who come to Embassy English at Cal Poly for a college prep / pre-collegiate experience will provide a potential recruiting pool for Cal Poly's undergraduate programs (provided they meet Cal Poly's selective admissions criteria).
- International graduate student pipeline: Students enrolled in universities around the world who come to Embassy English at Cal Poly will provide a potential recruiting pool for Cal Poly's graduate programs. Cal Poly could also partner with Embassy to deliver a pre-Master's pathway program for potential international graduate student applicants.
- Technical training certificates and courses for international students: Through initiatives such as the 100,000 Strong campaign and Brazil's Science Without Borders, international students could come to Cal Poly to enhance their English language skills and subsequently take academic or non-credit courses and certificates in STEM and other technical or leadership fields.

- Adult learners seeking technical training: corporate employees from abroad could enroll in Embassy's IEP to sharpen their English skills and then participate in technical training programs (e.g., Irrigation Training and Research Center short-courses, leadership development, high tech entrepreneurship, public policy leadership) offered by various Cal Poly centers, institutes, departments and colleges.
- International teacher training: teachers from around the world could visit Cal Poly to strengthen their English through the Embassy program and then participate in teacher training and leadership development programs through Cal Poly's School of Education, CESAME, and other programs.

Adopted: April 16 2013

**ACADEMIC SENATE
of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA**

AS-759-13

RESOLUTION ON STUDENT EVALUATIONS

1 WHEREAS, The 2012-2014 CSU-CFA Collective Bargaining Agreement states that "[w]ritten
2 or electronic student questionnaire evaluations shall be required for all faculty unit
3 employees who teach" (15.15); and
4

5 WHEREAS, The Collective Bargaining Agreement states that periodic evaluation review of
6 tenured, tenure-line, and temporary faculty unit employees will include student
7 evaluations (15.23, 15.28-29, 15.32, and 15.34); and
8

9 WHEREAS, The CSU, CSU Academic Senate, and CFA Joint Committee "Report on Student
10 Evaluations" (March 12 2008) recommended that "[c]ampuses should use a well-
11 designed student evaluation instrument (with demonstrable validity and
12 reliability) in providing diagnostic information and feedback, and those involved
13 in evaluations should have an understanding of their formative as well as
14 summative uses" (p. 9); and
15

16 WHEREAS, The "Report on Student Evaluations" stated that "[t]he faculty on each individual
17 campus have the right, through their governance process, to develop the campus-
18 based program of student evaluations of teaching" (p. 7); and
19

20 WHEREAS, The objectives of student evaluations are to contribute to the continuous
21 improvement of instruction and students' learning; therefore, be it
22

23 RESOLVED: That the Academic Senate requires that student evaluations include university-
24 wide questions and the opportunity for students to provide written comments on
25 teaching and course effectiveness; and that they may also include (1) college-
26 and/or department-level questions and (2) faculty generated questions; and be it
27 further
28

29 RESOLVED: That the Academic Senate approve the Instruction Committee's report that
30 establishes university-wide student evaluation questions, scale, and metric used
31 for summarization of these questions; and be it further
32

33 RESOLVED: That the Academic Senate designate the Instruction and Faculty Affairs
34 Committees as the appropriate committees for making potential revisions to

35 university-wide student evaluation questions in the future, and these revisions are
36 subject to approval by the Academic Senate; and be it further
37

38 RESOLVED: That the Academic Senate approve that colleges, departments, and/or programs
39 may require the inclusion of additional student evaluation questions, based on
40 their respective faculty-based governance procedures; and be it further
41

42 RESOLVED: That the Academic Senate approve that faculty members may include student
43 evaluation questions for their own classes; and be it further
44

45 RESOLVED: That the Academic Senate approve that all student responses (numeric and/or
46 written) to faculty generated questions may be excluded from inclusion in the
47 faculty member's personnel action file (PAF) at the discretion of the faculty
48 member; and that any summary measures that may be calculated are not required
49 for inclusion in the faculty member's PAF; and be it further
50

51 RESOLVED: That the Academic Senate approve that colleges, departments, and/or programs
52 may require the inclusion of students' written comments, excluding written
53 responses to faculty-generated questions, in a faculty member's personnel action
54 file (PAF), based on their respective faculty-based governance procedures.

Proposed by: Academic Senate Instruction Committee

Date: February 12 2013

Revised: February 19 2013

Revised: March 17 2013

Revised: April 16 2013

**Academic Senate Instruction Committee
Report on Student Evaluations at Cal Poly
February 12 2013**

Background:

In Fall 2013, the Academic Senate Executive Committee, at the request of Provost KathleenENZ Finken, charged the Instruction Committee to examine the structure of student evaluations at Cal Poly. In particular, the Committee was asked to consider the benefits of university-wide student evaluation questions.

Findings:

The Academic Instruction Committee gathered course evaluations from across the University and compiled their questions in order to identify common evaluation questions. The data were divided between 27 departments across the Colleges Architecture and Environment Design, Liberal Arts, and Science and Mathematics, and three colleges—Colleges of Engineering, Agriculture, Food and Environmental Sciences, and Business—that use common evaluation forms. UNIV evaluation forms were not included because they tend to be focused on specific faculty members teaching the course.

There exists a significant amount of difference between the length and scope of current student evaluations, ranging from 2 questions in one department to over 40 in others.

Since there exists no clear metric to account for comparing college-wide evaluation forms and departmental forms, the information included below distinguishes between the two. The following evaluation questions were the most commonly asked across the University:

| | | |
|-----|--|-----------------------|
| 1. | Student's class level | 3 colleges, 25 depts. |
| 2. | Requirement vs. elective course | 3 colleges, 25 depts. |
| 3. | Instructor's overall quality | 3 colleges, 21 depts. |
| 4. | Instructor's communication or presentation of material | 2 colleges, 18 depts. |
| 5. | Instructor's preparation and/or organization | 2 colleges, 15 depts. |
| 6. | Instructor's knowledge of subject matter | 1 college, 12 depts. |
| 7. | Student's interest in the course or subject matter | 1 college, 12 depts. |
| 8. | Instructor communicated course objectives | 1 college, 9 depts. |
| 9. | Overall quality of the course | 1 college, 8 depts. |
| 10. | Instructor's interest and/or enthusiasm for the course | 1 college, 8 depts. |

Recommendations:

After considering the data gathered from across the University and several universities nationwide, the Instruction Committee recommends that the Academic Senate approve two university-wide evaluation questions:

1. Overall, this instructor was educationally effective.
2. Overall, this course was educationally effective.

Limiting the scope of the university-wide questions provides the greatest amount of flexibility for colleges, departments, and faculty to determine the content of student evaluation questions. Since these two questions are summative, the committee recommends that colleges, departments, and faculty should generate discipline specific formative evaluation questions.

The Committee recommends that a five-point Likert-type scale be used for university-wide questions and all numeric student evaluation questions. This scale would be divided as follows: 1. Strongly agree; 2. Agree; 3. Neither agree nor disagree; 4. Disagree; 5. Strongly disagree. Currently, student evaluation forms used across the University are largely based on such a rating scale (the ratings are typically labeled as A-E, 0-4, or 1-5). The Committee recommends that the University continue to use this same scale in order to provide continuity with previous evaluations and Retention, Promotion, and Tenure (RPT) cycles. This will be particularly important when evaluations are administered online rather than the current Scantron forms. The Committee also recommends that any summaries of Likert-scale numeric scores are reported as tabulated distributions rather than their mean and standard deviation.

The committee supports the conclusion of the San José State University "Student Opinion of Teaching Effectiveness (SOTE) Guide 2011," which states that "statistically significant" differences exist between colleges and departments and, "[i]n light of this, it is important that RTP committees evaluating candidates from different departments and colleges (University level RTP) compare instructors to colleagues within their own departments and colleges" (p. 10). The importance of contextualizing student evaluation data has also been supported by the CSU, CSU Academic Senate, and CFA Joint Committee "Report on Student Evaluations" (March 12 2008) and Cal Poly Research and Professional Development Committee (AS-690-09). Such contextualization should also apply to the comparison of the different types of courses (for instance, large lecture courses as opposed to small seminars) to avoid conflating evaluation data from different course settings. Furthermore, data from university-wide questions should not be taken as actionable information as to why a student rated an instructor or course more or less effective. Colleges and departments should ask more specific questions to achieve those kinds of results. This is especially important given that research of student evaluations cautions that using non-contextualized student evaluations for faculty review "remains open for serious debate" (Craig, Merrill, Kline 2012).

State of California
Memorandum

-10-

CAL POLY
SAN LUIS OBISPO

To: Steven Rein
Chair, Academic Senate

Date: May 23, 2013

From: Jeffrey D. Armstrong
President



Copies: K. Enz Finken
B. Kinsley
D. Stegner

Subject: Response to Academic Senate Resolution AS-759-13
Resolution on Student Evaluations

This memo formally acknowledges receipt and approval of the above-entitled Academic Senate resolution.

Please express my appreciation to the Academic Senate Instruction Committee members for their efforts in this matter.

Online Student Evaluation Update

Dec 22, 2015

- I. Scantron's Class Climate online survey tool was selected and procured Fall 2014
- II. First Pilot was Winter Quarter 2015
 - a. Faculty volunteered to participate from Econ, Phil, Math, EE and AgBus departments
 - b. Basic install of Class Climate allowed manual configuration
 - c. **30 courses surveyed (>1% of campus courses)**
 - d. Created online surveys and reports for participant departments
 - e. **Identified concerns and enhancements needed for full deployment**
 - i. Identified issue sending volume of email to invite students to take survey
 - ii. Survey summaries verbose and default summary scale is 1-5 instead of 0-4
 - iii. Little control over format of report generation
- III. Second Pilot Spring Quarter 2015
 - a. Increased pilot to include all courses in Econ, Math, EE, and selected faculty from AgBus
 - b. Used data extraction from electronic databases to create surveys
 - c. **300 courses surveyed (approximately 7.5% of campus courses)**
 - d. Resolved email dispatch problem by initiating surveys in batches
 - e. **Identified additional concerns and enhancements needed for full deployment**
 - i. Need auto-provisioning to increase scale of online student evaluations
 - ii. Need better report generation and flexibility with online access to reduce printed materials.
 - iii. Need Portal and/or PolyLearn integration for student evaluation requests
- IV. Third Pilot Fall Quarter 2015
 - a. Increased pilot to include entire OCOB College, and Econ, Math, EE and AgBus Depts.
 - b. **Over 800 courses included (approximately 15% of campus courses)**
 - c. First time using auto-provisioning based on rules established for units participating
 - d. Used individual emails for each class survey
 - e. Batched emails and sent over several hours
 - f. **Average response rate for all classes surveyed was 69%**
- V. Addition work planned for winter and spring quarter pilots
 - a. Enhancing auto-provisioning
 - b. Implementing portal or PolyLearn links to take student evaluations
 - c. Store survey results in Data Warehouse and develop intelligent reporting
 - d. Goal is fully functional online student evaluation system university wide in Fall 2016
- VI. Academic Senate
 - a. Faculty Affairs and Instructional committees of the senate reviewed pilot implementation and plans to deploy online student evaluations campus wide.
 - b. Will make report to full senate in January 2016

2015-2017 Academic Senate Vacancies

College of Agriculture, Food and Environmental Sciences

Distinguished Teaching Awards Committee (2015-2016)

Instruction Committee (2015-2016)

Research, Scholarship & Creative Activities Committee

College of Engineering

Curriculum Committee

Gregg Fiegel, Civil & Environmental Engineering (20+ years at Cal Poly) Tenured

I have enjoyed my time at Cal Poly as a student (B.S.C.E. 1990) and instructor. Cal Poly provides innovative, high quality, and effective educational programs. My experiences at Cal Poly have helped me become a successful engineer and instructor. I am interested in serving Cal Poly, the Academic Senate, and the Curriculum Committee by helping to ensure the continued growth and availability of high quality degree programs for our students.

I have served as a faculty member in the Civil and Environmental Engineering (CE/ENVE) Department since 1995. I have extensive experience in course, curriculum, and program development. In addition, I am a former member of the CE/ENVE curriculum committee, and I am a current member of the Cal Poly General Education Governance Board (engineering representative). I believe my experience and work ethic will benefit the CE/ENVE Department, the College of Engineering, the Curriculum Committee, and Cal Poly. I can provide numerous examples of past curriculum development experience in civil engineering. For example, in 2006 I led a team of civil engineering faculty in the development of our new Civil Engineering Senior Design course. This course has many moving parts, involving over 30 local engineering professionals and serving over 150 Cal Poly civil engineering seniors each year. In 2009 and 2011 I served as the Senior Design Coordinator, teaching the course and mentoring the six-person design teams. I co-authored several papers detailing the development and assessment of this course. In 2010, the course was recognized by the National Council of Examiners for Engineering and Surveying (NCEES) with an "Engineering Award.

In August 2013 I was appointed Interim Director of the University Honors Program. The Honors Program collaborates closely with various departments on campus to provide Honors course offerings for its students. In June 2015 I was appointed Director of this program. Over the past two years I collaborated on numerous occasions with students, staff, and faculty regarding the Honors 11/15/2015 Program and its curriculum. In addition, I worked closely with members of the Honors Task Force in developing plans for improving the program. My experience with the Honors Program has been challenging and rewarding. I have especially enjoyed the opportunity to meet and work with students, staff, and faculty from different colleges across campus. Serving on the Curriculum Committee will allow me to continue to learn about Cal Poly's degree programs, which will help me to better serve the students and faculty members involved in the Honors Program. In addition, working with other curriculum committee members will likely spark new ideas for Honors programming and collaborations with other campus groups.

In addition, I have experience in program assessment. I am working closely with the Honors Program as it articulates student/program outcomes and develops future assessment and continuous improvement strategies. We are preparing to roll-out a fully-developed and improved Honor Program in 2017. My background in this area comes from serving as the Cal Poly Civil Engineering Program Assessment Coordinator (2005-09). In this role, I authored the ABET Self-Study Report for the Civil Engineering Program and led both the Civil and Environmental Engineering programs through successful accreditation visits in 2008. In addition, I have experience as an ABET Program Evaluator. In this role, I helped evaluate civil engineering programs at major U.S. universities in 2005, 2006, and 2007.

I believe my leadership experience will also serve as an asset to the Curriculum Committee. I served as Chair of the Civil and Environmental Engineering Department (2006-08). At the time, the CE/ENVE Department was one of the larger departments on campus, supporting two engineering programs, nearly 1,000 undergraduate

and graduate students, over 30 full- and part-time faculty members, and four staff members. I note that I have also served on numerous national committees under the American Society of Civil Engineers (ASCE). This includes my service as Chair of the ASCE National Committee on Student Activities in 2005. In addition, I served as Vice-President of Student Activities for the ASCE Los Angeles Section (2011-13), and I am currently serving a three year term as a Governor for ASCE Region 9. The 140,000+ members of ASCE are grouped under ten separate regions, with each region directed by a Board of seven regional governors.

Distinguished Scholarship Awards Committee

College of Liberal Arts

GE Governance Board (2015-2017)

Tal Scriven, Philosophy (36 years at Cal Poly) Tenured

Rachel Fernflores must step down and I am willing to serve for two quarters (2015-2016) as an interim member of the committee. I have served on various GE committees since 1981. I chaired the committee once and served as a member as recently as last year.

Josh Machamer, Theatre & Dance (12 years at Cal Poly) Tenured

As a former Chair of the General Education Governance Board, as well as a contributing member to the ASCC, I feel I have the necessary leadership and curricular skills to be an effective member of this committee. My role as facilitator and mediator for several issues related to General Education provided me with great insight, empathy, and exposure to many, many programs on this campus.

College of Science and Math

GE Governance Board – 2 vacancies for winter and spring 2016

Elena Keeling, Biological Sciences (20 years at Cal Poly) Tenured

I have a long history of involvement with General Education at Cal Poly; this includes service on the Governance Board and on the now-defunct Area B/F Committee, as well as chairing the Area B/F Committee for several years. I have taught three different classes in GE Area B2/B4 and B5, and developed the curriculum for the B5 class (Biology of Cancer). I have also been heavily involved with curriculum development and policy for many years and am currently Chair of the CSM Curriculum Committee. I believe strongly in the importance of General Education. I would be happy to serve as an interim CSM representative while the two current CSM representatives are on sabbatical for winter and spring of 2016.

Professional Consultative Services

Budget & Long-Range Planning Committee

Distinguished Scholarship Awards Committee

Distinguished Teaching Awards Committee

Task Forces

USCP/DLO Task Force – 2 vacancies 2015-2016

2015-2016 University Vacancies

Academic Assessment Council – 1 vacancy for CAFES only 2015-2018

Accommodation Review Board – 1 vacancy 2015-2017

Campus Safety and Risk Management Committee – 2 vacancies 2014-2016 and 2015-2017

Institutional Animal Care and Use Committee – 1 vacancy 2015-2016

Intellectual Property Review Committee – 1 vacancy – CAFES 2015-2017

University Union Advisory Board – 2015-2016

Adopted:

**ACADEMIC SENATE
Of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA**

AS-__-15

RESOLUTION ON ACADEMIC SENATE CURRICULUM COMMITTEE MEMBERSHIP

1 WHEREAS, The campus reorganization in 2011 made the library part of
2 Information Services and there was no distinction made on whether
3 the Curriculum Committee representative would be from the Library
4 or from another area of Information Technology Services (ITS); and
5

6 WHEREAS, The Curriculum Committee sees value in having both an ITS
7 representative and a Library representative on the committee due to
8 the evolving nature of curricular delivery; therefore be it
9

10 RESOLVED: That the Academic Senate bylaws section I.2.a (Academic Senate
11 Curriculum Committee membership) be amended as shown below:
12

13 College representatives shall be either the current chair or a current
14 member of their college curriculum committee. The Professional
15 Consultative Services representative shall be an academic advisor for
16 one of the colleges. Ex officio members shall be the Associate Vice
17 Provost for Academic Programs and Planning or designee, the
18 Director of Graduate Education or designee, the Vice Provost for
19 Information Services/Chief Information Officer or designee, the Dean
20 of Library Services or designee, a representative from the Office of the
21 Registrar, and an ASI representative.

Proposed by: Academic Senate Curriculum Committee
Date: December 4, 2015

Adopted:

**ACADEMIC SENATE
of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA**

AS-__-15

RESOLUTION TO ADD THE FUNCTION OF TASK FORCES

1 RESOLVED: That the *Bylaws of the Academic Senate* be amended as follows:
2

3 VIII. COMMITTEES

4 A. GENERAL

5 The functional integrity of the Academic Senate shall be maintained by the
6 committee process. The committee structure shall include standing committees
7 staffed by appointment or ex officio status, elected committees staffed by
8 election, and ad hoc committees or task forces staffed either by appointment or
9 election as directed by the Academic Senate Executive Committee. The
10 Executive Committee may create ad hoc committees or task forces as it deems
11 necessary for specific purposes, which, in the judgment of the Academic Senate
12 Chair, cannot be handled adequately by the standing committees. Only the
13 Executive Committee is authorized to create ad hoc committees or task forces,
14 and these shall report to the Academic Senate by way of the Executive
15 Committee.

Proposed by: Academic Senate Executive Committee

Date: March 11, 2015

Revised: May 27, 2015

Adopted: November 26, 1996

**ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California**

**AS-471-96/SWC
RESOLUTION ON
AMOROUS RELATIONSHIPS**

- WHEREAS, Faculty or instructional staff hold positions of authority that involve the legitimate exercise of power over others; and
- WHEREAS, Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power; and
- WHEREAS, The issue of appropriate and inappropriate relationships between students and faculty or instructional staff is very complex; and
- WHEREAS, It is the responsibility of Cal Poly faculty to maintain the highest standards of professional ethics; and
- WHEREAS, Cal Poly's Faculty Code of Ethics and the AAUP's Statement on Professional Ethics affirm that (1) professors adhere to their proper roles as intellectual guides and counselors, (2) they make every reasonable effort to assure that their evaluations of students reflect each student's true merit, and (3) they avoid any exploitation of students; therefore, be it
- RESOLVED: That Cal Poly adopt the attached *Policy on Amorous Relationships Between Students and Faculty or Instructional Staff Who Evaluate or Supervise Them*.

Proposed by the Status of Women Committee
May 13, 1996
Revised October 29, 1996
Revised November 12, 1996

POLICY ON AMOROUS RELATIONSHIPS BETWEEN STUDENTS AND FACULTY OR INSTRUCTIONAL STAFF WHO EVALUATE OR SUPERVISE THEM

California Polytechnic State University, San Luis Obispo

May 10, 1996

I. POLICY STATEMENT: AMOROUS RELATIONSHIPS IN THE INSTRUCTIONAL CONTEXT

It is the policy of California Polytechnic State University, San Luis Obispo that faculty members or other instructional staff shall not initiate, pursue, or be involved in any amorous or sexual relationships (hereinafter referred to as amorous relationships) with any student whom they evaluate or supervise by virtue of their teaching, research, or administrative responsibilities.

Friendships or mentoring relationships between faculty or instructional staff and students are not proscribed by this Policy, nor is it the intent of this Policy that such non-amorous relationships be discouraged or limited in any way.

II. RATIONALE FOR POLICY

The University's educational mission is promoted by professionalism in faculty-student relationships, and professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty or other members of the instructional staff that undermine this professionalism jeopardize the University's ability to fulfill its educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power.

Faculty members and other instructional personnel exercise power over students, whether in giving them praise and criticism, evaluating their work, making recommendations for their further studies or future employment, or conferring other benefits on them. Because it may easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member or other member of the instructional staff and a student entails serious ethical concerns when the faculty or instructional staff member has professional responsibility for the student.

Voluntary consent by the student in such a relationship is difficult to determine with certainty, given the fundamentally asymmetric nature of the relationship. Because of the complex and subtle effects of that power differential, relationships may well be less consensual than the individual whose position confers power believes, and the faculty or instructional staff member bears a special burden of accountability in any such involvement.

Further, amorous or sexual relationships in which one person is in a position to review the work or influence the career of another may provide grounds for complaint by others outside the relationship when that relationship appears to give undue access or advantage to the individual involved in the relationship, or to restrict opportunities, or create a hostile and unacceptable environment for those outside the relationship. Other students and faculty may be affected by behavior that makes or appears to make obtaining benefits (such as advancing one student over others) contingent on amorous or sexual favors.

III. DEFINITIONS

As used in this Policy, the term "faculty member" or "instructional staff" means any member of the university community who engages in instructional or evaluative activities of any student who is enrolled in a course being taught by that individual or whose academic work, including work as a teaching or research assistant, is being supervised or evaluated by that individual. Graduate or undergraduate students, when performing official University academic supervisory or evaluative roles with respect to other students, are considered instructional staff for the purposes of this Policy.

As used in this Policy, an amorous relationship exists when, without the benefit of marriage, two persons as ~~consenting~~ partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.

~~As used in this Policy,~~ to "evaluate or supervise" means:

- a. To assess, determine or influence (1) one's academic performance, progress or potential or (2) one's entitlement to or eligibility for any instructionally conferred right, benefit or opportunity, or
- b. To oversee, manage or direct one's academic or other institutionally prescribed activities.

IV. AMOROUS RELATIONSHIPS OUTSIDE THE INSTRUCTIONAL CONTEXT

Amorous relationships between faculty members or other members of the instructional staff and students occurring outside the instructional context may also lead to difficulties. Particularly when the individual and the student are in the same academic unit or in units that are academically allied, relationships that the involved parties view as consensual may be disruptive to unit activities and appear to others to be exploitative. Further, in these and other situations, the faculty or instructional staff member may face serious conflicts of interest. In any such situation, therefore, faculty or instructional staff members should be most careful to remove themselves from involvement with any decisions that may reward or penalize the student.

V. PROCESS AND SANCTIONS

Because of the sensitive nature of such relationships, every reasonable effort should be made

to resolve alleged Policy violations on an informal basis if possible. Concerns about problems related to this Policy may be taken to the administrative official most directly involved, excluding the person alleged to have violated this Policy, or to one of the individuals listed below in Section VIII.

Any remedial actions taken through informal procedures by the administrative official most directly concerned, assuming s/he is not the person alleged to have violated this Policy, will depend on the totality of the circumstances. Efforts should be made to be constructively educational and to be corrective rather than punitive if a Policy violation is found: an acknowledgment of the violation and a commitment not to violate the Policy in the future, along with a warning or other appropriate action directed toward the faculty or other instructional staff member, may be sufficient resolution. In cases where further action is deemed appropriate, sanctions may range from a letter of reprimand to dismissal of faculty, all in accordance with applicable University procedures as identified in Articles 18 and 19 of the Collective Bargaining Agreement.

VI. APPEALS

If not satisfied with the administrative official's decision, the faculty member or other member of the instructional staff accused of a Policy violation may proceed, in accordance with established procedures, to the grievance or hearings committees to which he or she otherwise has access.

VII. ABUSE OF THIS POLICY

Complaints found to have been intentionally dishonest or made in willful disregard of the truth may subject the complainant to disciplinary action, with possible sanctions ranging from a letter of reprimand to dismissal.

VIII. RESOURCES FOR ASSISTANCE AND INFORMATION

Questions concerning this Policy may be addressed to the University's Director of Affirmative Action (756-2062), Women's Program/Student Life and Activities (756-2476), the Sexual Harassment Advisors (names and numbers are available from Director of Affirmative Action), the Vice President of Student Affairs (756-1521), and the Vice President of Academic Affairs (756-2186).

Copies of the Policy are available from Department Chairs and from the offices listed above. These offices are also prepared to help people understand what the Policy means and what options for resolution are available if they believe they have experienced a problem related to this Policy in connection with their academic study or work at the University.

CHAPTER FOUR
OFFICE OF THE PRESIDENT

420 EQUAL OPPORTUNITY

420.1 Administration

Under the general direction of the director of University Diversity and Inclusivity, the director of Equal Opportunity is responsible for implementing and maintaining employment policies and procedures that comply with applicable state and federal non-discrimination and Affirmative Action obligations, laws, and regulations.

420.2 Mission

The mission of the Office of Equal Opportunity is to expand, strengthen, and support inclusive excellence, and to increase respect for differences, multiculturalism, and collaboration within Cal Poly's work and educational communities. In support of the Cal Poly mission, the Equal Opportunity staff members are committed to promoting a culture that values individual and organizational integrity, civility, and diversity.

In order to accomplish this mission, we:

- Ensure University adherence to Equal Employment Opportunity (EEO) laws and regulations;
- Serve as campus Americans with Disabilities Act (ADA) and Section 504 compliance officer, supporting the efforts of Cal Poly to comply with all relevant disability laws;
- Serve as campus Title IX Coordinator, overseeing Cal Poly's handling of Title IX complaints, education and compliance efforts;
- Conduct investigations of alleged CSU or Cal Poly policy violations related to protected class status, whistleblowing, and/or other Equal Opportunity issues;
- Participate in campuswide efforts to increase inclusivity, assess and enhance campus climate;
- Provide direction on the implementation of the California Child Abuse and Neglect Reporting Act ("CANRA"), the requirement for mandatory reporting of child abuse and neglect; and
- Facilitate Conflict of Interest training, and assist with employee filings of the annual Form 700.

420.3 Sexual Harassment

Cal Poly is committed to creating and maintaining an environment in which faculty, staff, and students work together in an atmosphere of mutual respect and unconstrained academic interchange. In the University environment, all individuals are entitled to benefit from University programs and activities without having to tolerate inappropriate behavior because of their gender.

This policy applies to all members of the University community and everyone is expected to give the subject the serious attention it requires. Sexual harassment violates University policy, seriously threatens the academic environment, is contrary to law, and will not be tolerated. The University also will not tolerate sexually harassing conduct by a non-employee toward any member of the University community where the non-employee and the member of the University community are participating in University activities. Independent contractors, vendors, and others who do business with the University or on University premises are expected to comply with this policy, and the University will take appropriate action if they fail to do so.

420.4 Amorous Relationships between Students and Faculty or Instructional Staff Who Evaluate or Supervise

420.4.1 Positions of Authority

It is recognized that faculty or instructional staff hold positions of authority that involve the legitimate exercise of power over others. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. The issue of appropriate and inappropriate relationships between students and faculty or instructional staff is very complex. It is the responsibility of Cal Poly faculty to maintain the highest standards of professional ethics. Cal Poly's Faculty Code of Ethics and the American Association of University Professors Statement on Professional Ethics affirm that: "professors adhere to their proper roles as intellectual guides and counselors; they make every reasonable effort to assure that their evaluations of students reflect each student's true merit; and they avoid any exploitation of students."

420.4.2 Academic Senate Resolution AS-471-96

On November 26, 1996, the Cal Poly Academic Senate adopted Academic Senate Resolution AS-471-96/SWC, Resolution on Amorous Relationships. On March 24, 1997, the resolution was approved by the President with a minor modification. This Policy was originally issued via Administrative Bulletin 98-1 to promulgate the policy, effective as of March 24, 1997.

References for CAP 420:

1. Date approved by the President: March 7, 2014
2. Effective Date: March 7, 2014
3. Responsible Department/Office: Equal Opportunity
4. Revision History: May 22, 2014 editorial name change, February 10, 2015 references updated.
5. Related University Policies, Procedures, Manuals and/or Documents:
 - a. Equal Opportunity website.
 - b. Campus Administrative Bulletin 98-1: Cal Poly Policy on Amorous Relationships Between Students and Faculty or Instructional Staff Who Evaluate or Supervise Them.
 - c. CSU Executive Order 926, California State University Board of Trustees Policy on Disability Support and Accommodations and its successors.
 - d. CSU Executive Order 929, Reporting Procedures for Protected Disclosure of Improper Governmental Activities and/or Significant Threats to Health or Safety (Whistleblower Complaints) and its successors.
 - e. CSU Executive Order 1058, Complaint procedure for CSU employees, former employees and applicants for specific CSU employment who believe they have been retaliated against for making a protected disclosure (Whistleblower Retaliation) and its successors.
 - f. CSU Executive Order 1095, Implementation of Title IX, VAWA/Campus SaVE Act, and Related Sex Discrimination, Sexual Harassment and Sexual Violence Legislation and its successors.
 - g. CSU Executive Order 1098, Student Conduct Procedures and its successors.
 - h. CSU Executive Order 1097, Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students and its successors.
 - i. Executive Order 1083, Systemwide policy which provides direction on the implementation of the California Child Abuse and Neglect Reporting Act ("CANRA") (Penal Code 11164-11174.3), the requirement for mandatory reporting of child abuse and neglect and its successors.
 - j. Executive Order 1088, Reaffirms California State University's commitment to maintaining and implementing employment policies and procedures that comply with applicable affirmative action laws and regulations and its successors. Previously, the Systemwide affirmative action policy was combined with the nondiscrimination policy in one executive order. For clarity, the two policies are now articulated in two separate executive orders. This executive order supersedes Executive Order 883 and articulates the Systemwide affirmative action policy.
 - k. Executive Order 1096, Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedures for Handling Discrimination, Harassment and Retaliation Allegations by Employees and Third Parties and its successors.

- l. The Federal Genetic Information Nondiscrimination Act (GINA): The CSU, in its HR Technical Letter HR/EEO 2011-02, Summary of the mandates of the law provides a copy of the Federal Register, Part III, EEOC 29 CFR Part 1635, "Regulations Under the Genetic Information Nondiscrimination Act of 2008; Final Rule."
 - m. The CSU Systemwide Employment Discrimination Complaint Procedure, Outlines by unit/employee group which employment discrimination complaint policy (if any) applies to their group and the appropriate procedures.
 - n. The California Political Reform Act of 1974, Requires the University to adopt and communicate Conflict of Interest (COI) codes. In addition, the code requires employees in designated positions to file a Statement of Economic Interest (Form 700) annually, and complete Ethics Training within 6 months of assuming office and every two years thereafter.
6. Laws, Regulations and/or Codes of practice referred to herein or related to this policy:
- a. Title VII of the Federal 1964 Civil Rights Act: Title 42 U.S.C. Section 2000 et seq.
 - b. Title IX of the Federal Education Amendments of 1972: Title 20 U.S.C. Section 1681 et seq.
 - c. The Federal Genetic Information Nondiscrimination Act of 2008: Title 42, U.S.C. Section 2000ff.
 - d. The Federal Age Discrimination in Employment Act of 1967, Title 29 U.S.C. Section 633a(c).
 - e. The Federal Rehabilitation Act, Sections 501, 502, 503, 504 and 508: 29 U.S.C. Section 791.
 - f. The Federal Americans with Disabilities Act of 1990, Titles I, II, III, and IV, and the ADA Amendments Act of 2008: 42 U.S.C. Section 12101 et seq.
 - g. The Federal Family and Medical Leave Act of 1993: Title 29 U.S.C. Sections 2611 – 2615.
 - h. The Federal Pregnancy Discrimination Act: Title 42 U.S.C. Section 2000e(k).
 - i. The Federal statute prohibiting discrimination in employment against military service members and veterans, Title 38 U.S.C. Section 4311.
 - j. The California Fair Employment and Housing Act (FEHA): California Government Code Section 12940 et seq.
 - k. The California Whistleblower Protection Act: California Government Code Section 8547.
 - l. The California Political Reform Act of 1974: California Code of Regulations Section 81000 et seq.
 - m. California Government Code Section 12950.1.

CSU Policy on Consensual Relationships

A CSU Employee shall not enter into a consensual relationship with a Student or Employee over whom s/he exercises or influences direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. In the event such a relationship already exists, each Campus shall develop a procedure to reassign such authority to avoid violations of this policy.

Consensual relationship means a sexual or romantic relationship between two persons who voluntarily enter into such a relationship. While sexual and/or romantic relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking subject to this policy.

The Campus Policy on Consensual Relationships can be found here: [Executive Order 1096 \(pdf\)](#). Questions concerning the policy may be addressed to the Office of Equal Opportunity (756-6770).

Non-Discrimination Policy

It is the policy of the CSU to prohibit discrimination against faculty members on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, marital status, pregnancy, age, disability, or veteran status. Cal Poly will not tolerate acts of racism or discrimination of any type. The University is committed to being a community enriched by individual differences, in which diversity is valued and respected and in which all members live and work free from harassment, abuse, mockery, and discrimination.

Drug-Free Environment

Cal Poly is fully committed to achieving an alcohol and drug-free environment for its students and employees. Federal law requires that Cal Poly create and maintain a drug-free environment and implement a prevention program for students and employees.

The University recognizes that alcohol and other drug dependencies are treatable conditions. Employees who suffer from a substance abuse problem are encouraged to get help immediately. Employee health insurance plans often defray part of the cost of rehabilitation programs. Cal Poly will also accommodate employees by allowing the use of sick leave or unpaid time off to participate in such programs.

A list of organizations which provide alcohol and other drug dependency treatment services may be obtained through the Employee Assistance Program anytime by visiting www.liveandworkwell.com. You will be asked to either create a confidential personal login

Executive Order 1096 Procedure Timeline

Executive Order 1096 provides a systemwide procedure for handling allegations of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking by certain individuals (see Article III C. 1. Filing a Complaint.) Below is a summary of the Executive Order 1096 procedure timeline. For a full understanding and complete text, please consult Executive Order 1096.

- **Immediately following an act/action/incident that falls under Executive Order 1096** or as soon as possible thereafter, Complainants who believe they are or may have been victims of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence or Stalking, may initiate the **Article III. Campus Procedure for Responding to Complaints** to receive information about the procedures that exist for resolving such matters. All incidents should be reported even if a significant amount of time has passed. However, delaying a report or Complaint may impede the ability to conduct an investigation or take appropriate remedial actions.

For the purpose of this Executive Order, Working Days are defined as Monday through Friday, excluding all official holidays or Campus closures at the Campus where the Complaint originated or at the Chancellor's Office (CO) where the Complaint Appeal is reviewed.

- **Within ten (10) Working Days after receipt of a Complaint**, an intake interview shall be conducted with the Complainant.
- **Within ten (10) Working Days** after reviewing all written Complaints and the information received during the intake interview, the Discrimination/Harassment/Retaliation (DHR) Administrator or Title IX Coordinator will notify the Complainant that the Complaint has been accepted for investigation and the timeline for completion of the investigation. If the DHR Administrator or Title IX Coordinator determines the Complainant has failed to state a Complaint within the scope of this Executive Order, s/he will provide the Complainant with written notice of this determination within ten (10) **Working Days**. The DHR Administrator or Title IX Coordinator will also inform the Complainant that if additional information is provided, the Complaint will be reviewed again.
- **Within sixty (60) Working Days after the intake interview**, the Investigator shall complete the investigation, write and submit an investigation report to the campus designated DHR Administrator or Title IX Coordinator. If this timeline is extended pursuant to Article V. E, it shall not be extended for a period longer than an additional thirty (30) Working Days from the original due date.
- **Within ten (10) Working Days of receiving the investigation report**, the DHR Administrator or Title IX Coordinator shall review the investigation report and notify the Parties in writing of the investigation outcome. If the DHR Administrator or Title IX Coordinator performed the investigation, s/he shall notify the Parties in writing of the investigation outcome within ten (10) **Working Days** of completing the investigation report. The Notice shall indicate whether or not this Executive Order was violated and the Complainant's and Respondent's right to file an Appeal under this policy.

Executive Order 1096 Procedure Timeline

- **Within ten (10) Working Days after the date of the Notice of Investigation Outcome**, the Complainant may file a written appeal with the CO.
- **Within thirty (30) Working Days after receipt of the written Appeal**, the CO designee shall respond to the appealing party, unless the timeline has been extended pursuant to Article IV. G or Article V. E. A separate notification shall be provided to the non-appealing party, indicating whether or not the allegations were substantiated on Appeal by a Preponderance of the Evidence.
- **Closure.** The CO Appeal Response is final and concludes the Complaint and Appeal process under this Executive Order.

Pursuant to EO 1096, Article V. E. the timelines noted above may be extended as follows:

The timeline for the procedures contained within this Executive Order may be extended for any reason deemed to be legitimate by the Campus investigator/CO Appeal reviewer or by mutual agreement of the Parties. The timelines stated within this Executive Order will be automatically adjusted for a reasonable time period that should not exceed an additional **thirty (30) Working Days** for a Campus investigation or an additional **thirty (30) Working Days** for a reopened Campus investigation under Article IV. The Complainant and Respondent shall receive written notification of any period of extension.

Clarification of *Bylaws of the Academic Senate*

Spring 2015

II. MEMBERSHIP OF THE ACADEMIC SENATE

B. TERMS OF OFFICE

1. Terms of office for senators: the elected term of office for senators shall be two years. A senator can serve a maximum of two consecutive, elected terms and shall not again be eligible for election until one year has elapsed. A senator appointed to fill a temporary vacancy for an elected position shall serve until the completion of that term or until the senator being temporarily replaced returns, whichever occurs first. If this temporary appointment is for one year or less, it shall not be counted as part of the two-term maximum for elected senators. The representative for part-time academic employees shall serve a one-year term with a maximum of four consecutive one-year terms.